

Attachment C

- January 2001 OIG Report re: Medicare Reimbursement of Prescription Drugs (E.17¹: OIG study comparing Medicare reimbursement (AWP-5%) to median wholesale catalog prices for 24 of top 30 Medicare drugs and finding average differences of between 6% and 83.7%)
- July 2001 OIG Report re: Cost Containment of Medicaid HIV/AIDS Drug Expenditures (E.18) (summarizing 1997 OIG reports finding pharmacies pay 42.5% less than AWP for generic drugs and 18.3% less for branded drugs; finding Medicaid pays up to 33 percent more than other Federal drug discount programs for HIV/AIDS drugs).
- August 2001 OIG Report re: Medicaid Pharmacy – Actual Acquisition Cost of Brand Name Prescription Drug Products (E.19: OIG study of 16,204 invoices from 216 pharmacies in eight states, showed average discount of 21.84% below AWP for brand name drugs; OIG estimated Medicaid could have saved \$1.08 billion if reimbursement set at AWP-21.84 for 200 most popular brand name drugs; study also summarized 1984 OIG study that found average discount off AWP of 15.9%, 1989 OIG study that found average discount off AWP of 15.5%, 1994 OIG study that found average discount off AWP of 18.3%, and 1997 OIG study that found average discount off AWP for generics of 42.45%).
- September 2001 OIG Report re: Medicaid’s Use of Revised Average Wholesale Prices (E.20: OIG report concluding “Over the last several years, the OIG has produced a significant body of work that clearly demonstrates the inflated nature of reported average wholesale prices. Because most States base their reimbursement for drugs on average wholesale prices, this inflation has caused Medicaid to pay too much for certain products.”)
- November 2001 OIG Report re: Review of Pharmacy Acquisition Costs for Drugs Reimbursed under the Medicaid Prescription Drug Program of the Colorado Department of Health Care Policy and Financing (E.21: OIG study of 1,619 invoices for brand name drugs and 933 invoice prices for generic drugs 31 pharmacies in Colorado, showed average discount of 19.64 % below AWP for brand name drugs and 65.23% for generic drugs; study also summarized earlier OIG reports going back to 1984).
- November 2001 OIG Report re: Review of Pharmacy Acquisition Costs for Drugs Reimbursed under the Medicaid Prescription Drug Program of the Texas Health and Human Services Commission (E.22: OIG study of 1,635 invoices for brand name drugs and 909 invoices for generic drugs from 38 pharmacies in Texas, showed average discount of 22.17 % below AWP for brand name drugs and 62.84% for generic drugs; study also summarized earlier OIG reports going back to 1984).
- November 2001 OIG Report re: Review of Pharmacy Acquisition Costs for Drugs Reimbursed under the Medicaid Prescription Drug Program of the Washington

¹ The designation “E17” refers to the exhibit referenced in Judge Bowler’s report regarding sanctions and which was submitted as part of defendants’ motion for sanctions (Docket No. 2900).

Department of Social and Health Services (E.23: OIG study of 1,076 invoices for brand name drugs and 514 invoice prices for generic drugs from 29 pharmacies in Washington, showed average discount of 20.91% below AWP for brand name drugs and 65.32% for generic drugs; study also summarized earlier OIG reports going back to 1984).

- December 2001 OIG Report re: Review of Pharmacy Acquisition Costs for Drugs Reimbursed under the Medicaid Prescription Drug Program of the Indiana Family and Social Services Administration (E.24: OIG study of 2,457 invoices for brand name drugs and 1,258 invoices for generic drugs from 27 pharmacies in Indiana, showed average discount of 21.78 % below AWP for brand name drugs and 66.71 % for generic drugs; study also summarized earlier OIG reports going back to 1984).
- December 2001 OIG Report re: Review of Pharmacy Acquisition Costs for Drugs Reimbursed under the Medicaid Prescription Drug Program of the West Virginia Department of Health and Human Resources (E.25: (OIG study of 2,728 invoices for brand name drugs and 1,507 invoice prices for generic drugs from 29 pharmacies in West Virginia, showed average discount of 21.71 % below AWP for brand name drugs and 68.92% for generic drugs; study also summarized earlier OIG reports going back to 1984).
- February 2002 OIG Report re: Review of Pharmacy Acquisition Costs for Drugs Reimbursed under the Medicaid Prescription Drug Program of the Florida Agency for Health Care Administration (E.26: OIG study of 2,349 invoices for brand name drugs and 1,235 invoice prices for generic drugs from 39 pharmacies in Florida, showed average discount of 22.88% below AWP for brand name drugs and 68.19% for generic drugs; study also summarized earlier OIG reports going back to 1984).
- February 2002 OIG Report re: Review of Pharmacy Acquisition Costs for Drugs Reimbursed under the Medicaid Prescription Drug Program of the Montana Department of Public Health and Human Resources (E.27: OIG study of 1,675 invoices for brand name drugs and 915 invoice prices for generic drugs from 33 pharmacies in Montana, showed average discount of 19.71 % below AWP for brand name drugs and 65.37% for generic drugs; study also summarized earlier OIG reports going back to 1984).
- March 2002 OIG Report re: Medicaid Pharmacy – Actual Acquisition Cost of Generic Prescription Drug Products (E.28: OIG study of 8,728 invoices from 217 pharmacies in 8 states, showed average discount of 65.93% below AWP for brand name drugs; OIG estimated Medicaid could have saved \$470 million for the 200 generic drugs with the greatest amount of Medicaid reimbursements if reimbursement set at AWP -65.93% for 200 most popular generic drugs; study also summarized earlier OIG reports going back to 1984).
- March 2002 OIG Report re: Review of Pharmacy Acquisition Costs for Drugs Reimbursed under the Medicaid Prescription Drug Program of the Wisconsin Department of Health and Family Services (E.29: OIG study of 2,665 invoices for brand name drugs and 1,457 invoices for generic drugs from 36 pharmacies in Wisconsin, showed average discount of 20.52% below AWP for brand name drugs and 67.28% for generic drugs; study also summarized earlier OIG reports going back to 1984).

- September 2002 OIG Report re: Medicaid Pharmacy – Additional Analyses of the Actual Acquisition Cost of Prescription Drug Products (E.30: OIG study of invoices from 8 states showing that in 1999 pharmacies acquired single source drugs at 17.2% below AWP (comparing 12,685 invoice prices to AWP), all drugs without FULs at 27.2% below AWP (19,357 invoice prices), for multiple source brand drugs at 24.4% below AWP (6,672 invoice prices), for multiple source non-brand drugs at 54.2% below AWP and for multiple source drugs with FULs at 72.1% below AWP (2,503 invoice prices).
- Oct. 2001 OIG FY 2002 Work Plan (identifying numerous planned OIG studies involving Medicare and Medicaid reimbursement of drugs; summarizes some earlier OIG reports, including 1997 OIG reports finding pharmacies pay 42.5% less than AWP for generic drugs and 18.3% less for branded drugs).
- Sept. 2001 United States General Accounting Office Report *Payments for Covered Outpatient Drugs Exceed Providers' Cost* (GAO study showing discounts off AWP of between 12.8 and 85.6% for top 21 physician administered cancer drugs).
- 2003 CMS Report on Pharmaceutical Industry (summarizing OIG reports including Medicaid report finding that in 1999 pharmacies acquired single source drugs at 17.2% below AWP, all drugs without FULs at 27.2% below AWP, for multiple source brand drugs at 24.4% below AWP, for multiple source non-brand drugs at 54.2% below AWP and for multiple source drugs with FULs at 72.1% below AWP).